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DEPARTMENT OF STATE

Washington, D.C. 20520

UNCLASSIFIED

November 20, 1974

NSC-D/LOS #248

NSC INTERAGENCY TASK FORCE ON THE LAW OF THE SEA

MEMORANDUM

TO : Members of the LOS Executive Group
SUBJECT : Deepsea Ventures Claim: Press Guidance

Attached for your information is the press guidance which will be used by the Department of State Press Office when asked about the Deepsea Ventures Claim.

Otho E. Eskin
Staff Director

Attachment:

As stated.

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State Dept. review completed

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PRESS GUIDANCE

For Use in Response to Questions Only

Subject: Claim of Exclusive Mining Rights by
Deepsea Ventures, Inc.

- Q. Do you have any comment on a deep seabed mining claim filed with the State Department by Deep-sea Ventures, Inc?
- A. The Department of State does not grant or recognize exclusive mining claims on the seabeds beyond the limits of national jurisdiction. International law does not, in our view, prohibit deep seabed mining, and those interested are free to do so. A widely accepted Law of the Sea Treaty is the best way to deal with this problem, and we are working for this now.

Our experts have prepared a more detailed written statement for those of you who are interested.

STATEMENT ON CLAIM OF EXCLUSIVE MINING RIGHTS
BY DEEPSEA VENTURES, INC.

The Department of State received on November 15, 1974, a letter from Mr. John E. Flipse, President of Deepsea Ventures, Inc., described as a "Notice of Discovery and Claim of Exclusive Mining Rights and Request for Diplomatic Protection and Protection of Investment, by Deepsea Ventures, Inc." This claim identifies an area in the eastern Pacific Ocean that is beyond the national jurisdiction of any state and asserts that Deepsea Ventures, Inc. "has discovered and taken possession of, and is now engaged in developing and evaluating, as the first stages of mining a deposit of seabed manganese nodules." Deepsea Ventures asserts the exclusive rights to develop, evaluate and mine the deposit and to take, use and sell all of the manganese nodules in, and the minerals and metals derived therefrom.

The Department of State does not grant or recognize exclusive mining rights to the mineral resources of an area of the seabed beyond the limits of national jurisdiction.

The appropriate means for the development of the law of the sea is the Third United Nations Conference on Law of the Sea and not unilateral claims. The United States supports the achievement of a widely acceptable and comprehensive law of the sea treaty in 1975 that would include a regime and machinery for the exploration for and exploitation of the mineral resources of the deep seabed beyond the limits of national jurisdiction.

The position of the United States Government on deep ocean mining pending the outcome of the Law of the Sea Conference is that the mining of the seabed beyond the limits of national jurisdiction may proceed as a freedom of the high seas under existing international law.